



COMMUNITY PRESERVATION COMMITTEE

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FAIRHAVEN,
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FAIRHAVEN COMMUNITY PRESERVATION COMMITTEE MEETING MINUTES
Wednesday August 18, 2021 at 6:30 pm

1. Administrative Business

- a) Chairman's Welcome Media Notification: Vice Chair Ann Richard opened the meeting at 6:34p.m., welcomed all and read the revised Open Meeting Law Statement per the State of Emergency issued by Governor Baker with instructions that public hearings may be conducted remotely via zoom.
- b) Quorum/Attendance: **Present:** Ann Richard, Gary Lavalette, Carol Alfonso, Beth Luey, Roger Marcoux, Terrance Meredith, Town Planner Paul Foley. **Absent:** Jeffrey Lucas and Marcus Ferro.
- c) Minutes: Ms. Luey made a motion to approve the June 30, 2021 minutes and was seconded by Mr. Marcoux, vote was unanimous.
- d) Correspondence: none

2. General Business

- a) Contracts for FY22 Appropriations update: Mr. Foley has sent grant agreement contracts to the approved Community Preservation Projects; four municipal representatives have signed and returned contracts while four others remain to be signed.

Action: Mr. Foley will send out a reminder to the outstanding projects' representatives, since the signed contracts are required before money is released.

- b) Community Preservation Projects Report: Due September 15, 2021.

CPC members and municipal staff must log into the database for new projects data. The data includes the most recent fiscal year or updates to the previous year's projects. This data must be entered by the deadline of September 15 to receive CPA Trust Funds matching distribution from the State.

Action: Mr. Foley will update the CP-3 database detailing all new CPC projects awarded in FY22.

- c) Draft Letter of Interest:

Action: Mr. Foley to post a draft Letter of Interest (LOI) to the website before the next meeting and a draft CPC Plan for FY23 for a public hearing on September 22, 2021.

Action: Mr. Foley to send out a press release with a new revised application which includes a checklist for Applicants to detail and submit as well as guidelines. Mr. Foley will add a full application by the next meeting.

Mr. Lavalette discussed entities that have leases and obligations to raise money. The CPC should look into these leases as part of our research on the project to help determine if we can fund them or if there should be any special conditions. Mr. Foley and the CPC will look into leases as part of research on a project, to review and determine restoration or maintenance.

Mr. Foley stated the checklist in the application elaborates on fiscal impacts, program costs, debt commitments, and feasibility.

Action: Mr. Foley to send drafts for review including the FY23 Application Guidelines, FY23 LOI Form, and the FY-23 Application Form. If people have comments they should let him know as they will be posted before the next meeting.

Motion: Approve LOI with a due date of September 17, 2021. Motion made by Mr. Meredith and seconded by Mr. Marcoux; vote was unanimous.

Ms. Richard suggests putting criteria on whether a building is eligible for listing on the state or National Register in the checklist. This will allow the filer to understand if the project will fulfill certain criteria. Mr. Lavalette believes these are important points to determine fundability and also aids in grant eligibility.

There was discussion on when the next meeting would take place. Mr. Foley suggests the meeting to on September 1, 2021 to review the draft plan and start thinking about the way forward. It would allow us to post the plan on the website two months before the a month and a half before applications are due.

Action: Mr. Foley to put out a press release announcing the Letter of Interest and Application are available as well as the draft FY23 Plan for comment in next week's paper.

Ms. Richard stated that they should also include the application is available in the press release. Ms. Luey asked if the committee will respond promptly to the LOI. Mr. Foley said they will try but it depends on when we receive them and what they entail. Ms. Richard reminded the committee that the deadline for adding new agenda items is the Friday before the meeting.

d) Discussion of Community Preservation Issues:

Mr. Foley brought up the issue of historic trees being cut down by Eversource and the Tree Warden. He believes there was not proper notice or any communication at all about the cutting of about 60 large and historic street trees and there should be a review of what happened and we need to make sure it never happens again. We need to ensure proper steps are taken before any tree removal. He noted that in 2004 a group of boards and citizens organized streetscape guidelines and street trees topped the list of things making Fairhaven streets so special. Mr. Foley stated that state code was also violated.

Mr. Lavalette has been following the tree warden and confirmed new trees have been planted. The new trees planted only grow to 10-15 feet tall and are better suited for a sidewalk. He stated that the trees taken down were unhealthy, too large, and a liability.

Mr. Foley said that maybe his opinion but the process needs to be followed and it was not. He does not believe all the trees that were cut down were a problem. There were no public hearings and even the excuse the Tree Warden used to avoid public hearings did not follow the proper procedure. We need to have an inventory done and a plan and then we can figure out the best way forward. A newly elected unqualified Tree Warden cutting 60 trees right out of the gate is unacceptable.

Mr. Lavalette agrees that with every tree down there should be two planted in its place. Mr. Foley noted replacing a large historic tree with a sapling or two is not equivalent. Someday these trees will die but my guess is that they all would have outlived all of us. We need an inventory and a plan before anything else. We need to prune and care for the trees not just cut them down if they have a dead branch.

Ms. Richard suggested the CPC draft a letter to the Tree Warden and Select Board to discuss the master plan and way forward with respect to the historic trees throughout the town. The group agreed to add a review of the letter to the agenda for the next meeting.

Action: Ms. Richard to draft a letter to the Tree Warden and Select Board to ensure historic trees are protected and the Tree Warden is following the master plan.

Mr. Lavalette added that the letter should be copied to the Department of Public Works (DPW).

3. Tentative Future Meeting Schedule

- a) Next Meeting is scheduled for September 1, 2021

4. Other Business

Ms. Richard stated the CPC does not have a representative from the Historic Board. Mr. Foley noted that MGL Chapter 44B and Chapter 6 of the Fairhaven Code calls for a member from the Historic Commission.

Mr. Lavalette stated he is Vice Chairman of Historic Commission and has made suggestions at multiple Historic Commission meetings.

Action: Mr. Lavalette will speak to Ms. McClees, the Conservation Agent, to see if someone could take his spot on the Historic Commission, so he can move to the Conservation Commission.

Action: Ms. Richard will speak to Jeff Lucas and draft a formal letter to the Chair of the Historic Commission.

Ms. Richard will talk to Mr. Lucas and the Select Board with a goal to rebalance the Historic Commission and Conservation Committee, currently there are more Conservation Committee members than on the Historic Commission.

Ms. Luey discussed that the Old Stone Schoolhouse and Academy Building windows need maintenance. She wondered if the Historic Commission asked for money for this project. Mr. Lavalette answered the question by stating the Historic Commission has a contract to replace the windows in the Academy Building. Ms. Luey feels it should have been restored and not replaced. Mr. Lavalette assured the committee it was rotten from past storms and could not be restored with existing windows and frames. They are redoing the glaze, installing a brand new insert, and found a replica for the windows. It would cost more to restore the existing glass. Mr. Foley said that is what the Community Preservation Act is for to restore as close to the original as possible. Ms. Luey agreed.

Mr. Lavalette said the replicas cost about \$350 each and restoring each window would cost over \$500. Mr. Foley reiterated that is what the CPA is for, to restore to the highest degree possible.

Motion to adjourn made by Mr. Marcoux and seconded by Mr. Meredith. Vote was unanimous.